

W. L. ...
PROPOSED
RECIPROCITY TREATY

BETWEEN THE

UNITED STATES OF AMERICA

AND THE

DOMINION OF CANADA.

1874.

OTTAWA:

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Her Majesty the QUEEN of Great Britain, and the United States of America, being desirous of improving the Commerce and Navigation between their respective Territories and People, and more especially between Her Majesty's possessions in North America and the United States, in such manner as to render the same reciprocally beneficial, have respectively named Plenipotentiaries to confer and agree thereupon, that is to say : Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

ARTICLE I.

It is agreed by the high contracting parties, that in addition to the liberty secured to the United States fishermen by the convention between Great Britain and the United States, signed at London, on the 20th day of October, 1818, of taking, curing and drying fish, on certain coasts of the British North American Colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of Her Britannic Majesty, the liberty, for the term of years mentioned in Article XIII. of this Treaty, to take fish of every kind, except shell fish on the sea coast and shores, and in the bays, harbours, and creeks of the Provinces of Quebec, Nova Scotia, New Brunswick, and Prince Edward's Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores, and islands, for the purpose of drying their nets and curing their fish ; provided that in so doing they do not interfere with the rights of private property, or with the British fisherman in the peaceable use of any part of the said coasts in their occupancy for the same purpose. But it is

understood, that the above mentioned liberty applies solely to the sea fishery, and that the salmon and shad fisheries, and all other fisheries in rivers, and mouths of rivers, are hereby reserved exclusively for British fishermen.

ARTICLE II.

It is agreed by the high contracting parties, that British subjects shall have, in common with the citizens of the United States, the liberty, for the term of years mentioned in Article XIII. of this Treaty, to take fish of every kind except shell fish, on the eastern sea coasts and shores of the United States, north of the thirty-ninth parallel of north latitude; and, on the shores of the several islands thereunto adjacent; and in the bays, harbours, and creeks of the said sea coasts and shores of the United States, and of the said islands, without being restricted to any distance from the shore, with permission to land upon the said coasts of the United States, and of the islands aforesaid, for the purpose of drying their nets and curing their fish; provided that in so doing, they do not interfere with the rights of private property, or with fishermen of the United States, in the peaceable use of any part of the said coasts in their occupancy for the same purpose. But it is understood, that the above-mentioned liberty applies solely to the sea fishery, and that salmon and shad fisheries, and all other fisheries in rivers, and mouths of rivers, are hereby reserved exclusively for fishermen of the United States.

ARTICLE III.

It is agreed that the places designated by the Commissioners appointed under the first article of the Treaty between Great Britain and the United States, concluded at Washington, on the 5th of June, 1854, upon the coasts of the United States and Her Britannic Majesty's Dominions, as places reserved from the common right of fishing under that Treaty, shall be regarded as in like manner reserved from the common right of fishing under the preceding Articles. In case any question should arise between the Governments of Her Britannic Majesty and of the United States, as to the common right of fishing in places not thus designated as reserved, it is agreed that a Commission shall be appointed to designate such places, and shall be constituted in the same manner, and have the same powers, duties and authority as the Commission appointed under the said first Article of the Treaty of the 5th of June 1854.

ARTICLE IV.

It is agreed that the Articles enumerated in Schedules A. B. and C. hereunto annexed, being the growth, produce, or manufacture of the

Dominion of Canada, or of the United States, shall, on their importation from the one country into the other, from the first day of July 1875, to the 30th day of June 1876 (both included) pay only two-thirds of the duties payable at the date of this Treaty, on the importation into such country, of such articles respectively; and from the first day of July 1876, to the 30th day of June 1877, (both included) shall pay only one-third of such duties; and on and after the first day of July 1877 for the period of years mentioned in Article XIII of this Treaty, shall be admitted free of duty into each country respectively.

For the term mentioned in Article XIII no other or higher duty shall be imposed in the United States upon other articles not enumerated in said the Schedules, growth, produce or manufacture of Canada; or in Canada upon such other articles the growth, produce or manufacture of the United States, than are respectively imposed upon like articles the growth, produce or manufacture of Great Britain or of any other country.

SCHEDULE "A," consisting of the following natural products :—

- Animals of all kinds.
- Ashes, Pot, Pearl and Soda.
- Bark.
- Bark, extract for Tanning purposes.
- Bath Bricks.
- Breadstuffs of all kinds.
- Bricks for building and Fire bricks.
- Broom-Corn.
- Burr or grindstones, hewn, wrought or unwrought.
- Butter.
- Cheese.
- Coal and Coke.
- Cotton-wool.
- Cotton-waste.
- Dye stuffs.
- Earths, clays, ochres, and sand, ground, or unground.
- Eggs.
- Fish of all kinds.
- Fish, products of, and of all other creatures living in the water, except fish preserved in oil.
- Firewood.
- Flax, unmanufactured.
- Flour and meals of all kinds.
- Fruits, green, or dried.
- Furs, undressed.
- Grain of all kinds.
- Gypsum, ground, unground, or calcined.

Hay.
 Hemp, unmanufactured.
 Hides.
 Horns.
 Lard.
 Lime.
 Malt.
 Manures.
 Marble, stone, slate, or granite, wrought or unwrought.
 Meats, fresh, smoked, or salted.
 Ores of all kinds of metals.
 Peas, whole, or split.
 Pelts.
 Petroleum oil, crude, refined, or Benzole.
 Pitch.
 Plants.
 Poultry, and birds of all kinds.
 Rags of all kinds.
 Rice.
 Salt.
 Seeds.
 Shrubs.
 Skins.
 Straw.
 Tails.
 Tallow.
 Tar.
 Timber, and lumber of all kinds, round, hewed and sawed, unmanufactured in whole or in part.
 Tobacco, unmanufactured.
 Tow, unmanufactured.
 Trees.
 Turpentine.
 Vegetables.
 Wool.

SCHEDULE B, consisting of the following Agricultural Implements :—

Axes.
 Bag-holders.
 Bee hives.
 Bone crushers, and parts thereof.
 Cultivators, or parts thereof.
 Chaff-cutters, or parts thereof.
 Corn-huskers, or parts thereof.

Cheese-vats.
 Cheese factory heaters.
 Cheese presses, or parts thereof.
 Churns, or parts thereof.
 Cattle feed boilers, and steamers, and parts thereof.
 Ditchers, or parts thereof.
 Field rollers, or parts thereof.
 Fanning mills, or parts thereof.
 Feed choppers, or parts thereof.
 Forks for hay and manure, hand or horse.
 Grain Drills, or parts thereof.
 Grain Broad-cast Sowers, or parts thereof.
 Grain Crushers, or parts thereof.
 Harrows.
 Hoes, hand or horse.
 Horse Rakes.
 Horse-power Machines, or parts thereof.
 Hay Tedders, or parts thereof.
 Liquid Manure Carts, or parts thereof.
 Manure Sowers, or parts thereof.
 Mowers, or parts thereof.
 Oil and Oil-Cake Crushers, or parts thereof.
 Ploughs, or parts thereof.
 Root and Seed-planters, or parts thereof.
 Root-Cutters, Pulpers and Washers, or parts thereof.
 Rakes.
 Reapers, or parts thereof.
 Reapers and Mowers combined, or parts thereof.
 Spades.
 Shovels.
 Scythes.
 Snaiths.
 Threshing Machines, or parts thereof.

SCHEDULE C, consisting of the following manufactures :—

Axles of all kinds.
 Boots and Shoes, of leather.
 Boot and Shoe-making machines.
 Buffalo Robes, dressed and trimmed.
 Cotton Grain Bags.
 Cotton Denims.
 Cotton Jeans, unbleached.
 Cotton Drillings, unbleached.
 Cotton Plaids.

Cotton Tickings.
 Cottons, unbleached.
 Cabinet-ware and Furniture, or parts thereof.
 Carriages, Carts, Wagons, and other wheeled vehicles, and Sleighs, or parts thereof.
 Fire Engines, or parts thereof.
 Felt covering for boilers.
 Gutta Percha Belting and Tubing.
 Iron—Bar, Hoop, Pig, Puddled, Rod, Sheet, or Scrap.
 Iron—Nails, Spikes, Bolts, Tacks, Brads, or Sprigs.
 Iron Castings.
 India Rubber Belting and Tubing.
 Locomotives for Railways, or parts thereof.
 Lead, sheet or pig.
 Leather, sole or upper.
 Leather—Harness and Saddlery of.
 Mill or factory, or steamboat fixed engines and machines, or parts thereof.
 Manufactures of Marble, Stone, Slate, or Granite.
 Manufactures of Wood solely, or of wood nailed, bound, hinged, or backed with metal materials.
 Mangles, Washing Machines, Wringing Machines, and Drying Machines, or parts thereof.
 Printing Paper for newspapers.
 Paper-making Machines, or parts thereof.
 Printing Type, Presses and Folders, Paper Cutters, Ruling Machines, Page-numbering Machines, and Stereotyping and Electrotyping apparatus, or parts thereof.
 Refrigerators, or parts thereof.
 Railroad Cars, Carriages and Trucks, or parts thereof.
 Sattinets of Wool and Cotton.
 Steam Engines, or parts thereof.
 Steel, wrought or cast, and Steel Plates and Rails.
 Tin Tubes and Piping.
 Tweeds, of wool solely.
 Water-wheel Machines and apparatus, or parts thereof.

ARTICLE V.

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 It is agreed that the Canadian Canals, on the main route from Lake Erie to Montreal, shall be enlarged forthwith, at the expense of the Dominion of Canada, so as to admit the passage of vessels drawing twelve feet of water ; and the Locks on the said Canals shall be made of not less than 270 feet in length, 45 feet in width, and not less than 12 feet in

depth on the mitre sills ; and that the channel of the St. Lawrence River shall be deepened in the several reaches between the Canals wherever the same may be necessary, so as to allow the free passage of vessels drawing twelve feet of water. And the work engaged to be done in this Article shall be completed by the first day of January, 1880.

ARTICLE VI.

It is agreed that the Government of Canada shall construct on or before the first day of January, 1880, a Canal to connect the St. Lawrence River at some convenient point, at or near Caughnawaga, with Lake Champlain.

The dimensions of said Canal shall be such as to admit the passage of vessels drawing twelve feet of water, and the Locks shall be of not less dimensions than those named in the preceding Article. And the United States engage to urge upon the Government of the State of New York to cause the existing Canal from Whitehall on Lake Champlain to Albany, to be enlarged, and if necessary extended, or another Canal, or Canals to be constructed, of equal capacity with the proposed Caughnawaga Canal, as herein before specified, and the navigation of the Hudson River to be improved so as to admit of the passage from Lake Champlain to the lower waters of the Hudson River, of vessels drawing twelve feet of water

ARTICLE VII.

Citizens of the United States may during the term of years mentioned in Article XIII, of this Treaty carry in their vessels cargo and passengers from one Canadian port to another on the great Lakes or river St. Lawrence.

Reciprocally,—Inhabitants of Canada, subjects of Her Britannic Majesty, may during the like period carry in their vessels cargo and passengers from one port to another, of the United States, on the great lakes or river St. Lawrence. Citizens of the United States, in their vessels, and inhabitants of Canada subjects of Her Britannic Majesty in their vessels, may during the like term carry cargo and passengers from any port of the United States or of Canada, on the Red River or the waters connecting therewith, to any other port on the said river or waters connecting therewith.

ARTICLE VIII.

It is agreed that, for the term of years mentioned in Article XIII. of this Treaty, the citizens of the United States shall enjoy the use of the Welland, the St. Lawrence, and other Canals in the Dominion of Canada,

(including the proposed Caughnawaga Canal,) on terms of equality with the inhabitants of the Dominion of Canada; and that without interfering with the rights of the Government of Canada, to impose such tolls on the aforesaid Canadian Canals respectively, as it may think fit. The tolls shall be levied in relation to the number of locks in each canal, without any drawback or discrimination, whatever the destination of the vessel, or whether one or more canal or canals, or part of a canal be passed.

And it is also agreed, that for the like term of years, the inhabitants of Canada shall enjoy the use of the St. Clair Flats Canal, on terms of equality with the inhabitants of the United States; and that the navigation of Lake Champlain, and of Lake Michigan, shall be free and open for the purpose of Commerce to the inhabitants of Canada, subject to any laws and regulations of the United States, or of the States bordering thereon respectively, not inconsistent with such privileges of free navigation.

And the United States further engage to urge upon the Governments of the States of New York and of Michigan, respectively, to secure to the inhabitants of Canada the use of the Erie, the Whitehall, the Sault St. Marie Canals, and of any enlarged or extended, or new Canal, or other improvement connecting Lake Champlain with the lower waters of the Hudson River, which may be made, as contemplated in Article VI, on terms of equality with the inhabitants of the United States.

And it is mutually agreed that full power shall be given and allowed to tranship cargo from vessels into Canal boats, and from Canal boats into vessels, at either terminus of every Canal.

And further, that if the use of the Erie, Whitehall, or other Canal connecting Lake Champlain with the lower waters of the Hudson River and of the Sault St. Marie Canal be not granted to the inhabitants of Canada on terms of equality with the citizens of the United States as contemplated in this Article, then the use of the proposed Caughnawaga Canal by citizens of the United States, as above contemplated, shall be suspended and cease, until the use of the said Canals in the United States shall be secured to the inhabitants of Canada as above contemplated.

ARTICLE IX.

For the term of years mentioned in Article XIII of this Treaty, vessels of all kinds built in the United States may be purchased by inhabitants of Canada, subjects of Great Britain, and registered in Canada as Canadian vessels; and reciprocally, vessels of all kinds built in Canada may be purchased by citizens of the United States, and Registered in the United States as United States vessels.

ARTICLE X.

A joint Commission shall be established and maintained at joint expense during the operation of this Treaty, for advising the erection and proper regulation of all Lighthouses on the great lakes common to both countries, necessary to the security of the shipping thereon.

ARTICLE XI.

A joint Commission shall also be established at joint expense, and maintained during the continuance of the Treaty, to promote the propagation of fish in the inland waters common to both countries, and to enforce the laws enacted for the protection of the fish and fishing grounds.

ARTICLE XII.

It is further agreed, that the provisions and stipulations of this Treaty shall extend to the Colony of Newfoundland so far as they are applicable.

But if the Imperial Parliament, the Legislature of Newfoundland, or the Congress of the United States, shall not embrace the Colony of Newfoundland in their laws enacted for carrying the foregoing Articles into effect, then this Article shall be of no effect; but the omission to make provision by law, to give it effect, by either of the Legislative bodies aforesaid, shall not in any way impair any other Article of this Treaty.

ARTICLE XIII.

This Treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain, and by the Parliament of the Dominion of Canada, on the one hand, and the Congress of the United States on the other. If such Legislative assent shall not have been given within ^{months} from the date hereof, then this Treaty shall be null and void. But such Legislative assent having been given, this Treaty shall remain in force for the period of twenty-one years from the date at which it shall come into operation; and further, until the expiration of three years, after each of the high contracting parties shall have given notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of twenty-one years, or at any time afterwards.

ARTICLE XIV.

When the ratification of this Treaty shall have been exchanged, and

the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain and by the Parliament of Canada, on the one hand, and by the Congress of the United States, on the other, then Articles XXIII, XXIII, XXIV and XXV, of the Treaty of May 8th, 1871, between Great Britain and the United States, shall become null and void.

ARTICLE XV.

This Treaty shall be duly ratified by Her Britannic Majesty and by the President of the United States; and the ratification shall be exchanged either at Washington or London _____ months from the date hereof, or earlier, if possible.

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